

EXHIBIT A

Declaration of Susmita A. Gadre in Support of Geotab USA, Inc.'s Rule 12 Motion

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22 **UNITED STATES DISTRICT COURT**
23 **DISTRICT OF NEVADA**

24 WirelessWerx IP LLC,

25 Plaintiff,

26 v.

27 Geotab USA, Inc.,

28 Defendant.

Case No. 2:23-cv-01769

**DECLARATION OF SUSMITA A.
GADRE IN SUPPORT OF GEOTAB USA,
INC.'S RULE 12 MOTION**

I, Susmita A. Gadre, declare as follows:

1 1. I am an associate at the law firm of Wolf, Greenfield & Sacks, P.C. and counsel
2 for Defendant Geotab USA, Inc. (“Geotab USA”). I have personal knowledge of the facts stated
3 in this declaration and, if called as a witness, could and would testify competently to those facts.
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5 2. Attached as Exhibit B is a true and accurate of copy of the “Geotab GO vehicle
6 tracking device” page of Geotab USA’s website, available at [https://www.geotab.com/vehicle-](https://www.geotab.com/vehicle-tracking-device/)
7 [tracking-device/](https://www.geotab.com/vehicle-tracking-device/). This screenshot was captured on November 13, 2023.

8 3. Attached as Exhibit C is a true and accurate of copy of the applicant’s Response
9 to a Non-Final Office Action dated May 12, 2011 in U.S. Patent Application No. 11/949,975 (the
10 “’975 application”—the application that would later issue as U.S. Patent No. 8,009,037 (“the
11 ’037 Patent”). This exhibit was downloaded from the United States Patent and Trademark
12 Office’s (“USPTO”) Patent Center website at <https://patentcenter.uspto.gov> on November 9,
13 2023.
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15 4. Attached as Exhibit D is a true and accurate of copy of the examiner’s Notice of
16 Allowance and Fee(s) Due mailed July 15, 2011 in the ’975 application. This exhibit was
17 downloaded from the USPTO’s Patent Center website on November 9, 2023.
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19 5. Attached as Exhibit E is a true and accurate of copy of a document filed by the
20 defendants in *WirelessWerx IP LLC v. Raytheon Techs. Corp.*, No. 22-01059 (W.D. Texas).
21 This document is ECF No. 13, Defendant Raytheon Techs. Corp.’s Rule 12(b)(6) Motion to
22 Dismiss Plaintiff’s Complaint, filed March 2, 2023.
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24 6. Attached as Exhibit F is a true and accurate of copy of a document filed by the
25 defendants in *WirelessWerx IP LLC v. Raytheon Techs. Corp.*, No. 22-01059 (W.D. Texas).
26 This document is ECF No. 19, Defendant Raytheon Techs. Corp.’s Reply in Support of Its Rule
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1 12(b)(6) Motion to Dismiss Plaintiff's Complaint, filed March 23, 2023.

2 7. Attached as Exhibit G is a true and accurate of copy of a document filed by the
3 plaintiffs in *WirelessWerx IP LLC v. Raytheon Techs. Corp.*, No. 22-01059 (W.D. Texas). This
4 document is ECF No. 25, Notice of Voluntary Dismissal, filed June 5, 2023.
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6 8. Attached as Exhibit H is a true and accurate of copy of a document filed by the
7 Court in *WirelessWerx IP LLC v. Raytheon Techs. Corp.*, No. 22-01059 (W.D. Texas). This
8 document is ECF No. 26, Order, filed June 6, 2023.
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10 9. Attached as Exhibit I is a true and accurate of copy of the "A look at the Geotab
11 GO Device: Past, present, and future" page of Geotab USA's website, available at
12 <https://www.geotab.com/blog/geotab-go-device-past-present-future/>. This screenshot was
13 captured on November 6, 2023.

14 10. Attached as Exhibit J is a true and accurate of copy of a User Guide for
15 CHECKMATE by Geotab (the "CHECKMATE User Guide"), which was the software used by
16 Geotab USA at the time. This guide was available for download on Geotab USA's website, as
17 seen on page 1 of Exhibit K. This manual was available at least as early as 2004, as evidenced
18 by Exhibit K, and the metadata of the version downloadable from the Internet Archive says that
19 the document was last modified on August 31, 2004. The particular copy that is present in
20 Exhibit J was downloaded on November 6, 2023.
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22 11. Attached as Exhibit K is a true and accurate of copy of the "Geotab Partner
23 Downloads" Geotab USA's website in 2004, as displayed in an archived copy from the Internet
24 Archive (also known as the Wayback Machine), available at
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1 <https://web.archive.org/web/20041208221215/http://www.geotab.com/Downloads/index.htm>.

2 This screenshot was captured on November 6, 2023.

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4 12. Attached as Exhibit L is a true and accurate of copy of presentation by Geotab.
5 This presentation was available for download on Geotab USA's website, as seen on page 1 of
6 Exhibit M (the "GEOTABv46 Presentation") by clicking on the arrow near the top to the right of
7 "CheckMATE 4.6 released" and "Click here to download the show," and available as a direct
8 download from Exhibit N. This presentation was available at least as early as June 2004, as
9 evidenced by Exhibits M-N. The particular copy that is present in Exhibit L was downloaded as
10 a .pps file from Exhibit N on November 6, 2023 and converted to a .pdf file on November 9,
11 2023.
12

13 13. Attached as Exhibit M is a true and accurate of copy of the "Geotab Partner
14 Downloads" Geotab USA's website in 2004, as displayed in an archived copy from the Internet
15 Archive (also known as the Wayback Machine), available at
16 <https://web.archive.org/web/20040619063706/http://www.geotab.com/Downloads/index.htm>.
17 This screenshot was captured on November 6, 2023.
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19 14. Attached as Exhibit N is a true and accurate of copy of a link to a page Geotab
20 USA's website in 2004, as displayed in an archived copy from the Internet Archive (also known
21 as the Wayback Machine), available at
22 <https://web.archive.org/web/20040605131359/http://www.geotab.com/Downloads/GEOTABv46>
23 .pps. This website links to a direct download of the presentation presented as Exhibit L above.
24 This screenshot was captured on November 6, 2023.
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26 15. Attached as Exhibit O is a true and accurate copy of an invalidity claim chart
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1 comparing Exhibit B of the complaint alleging infringement of the '037 Patent by current Geotab
2 USA GO devices to example analogous prior art GO2-RF materials from the CHECKMATE
3 User Guide and the GEOTABv46 Presentation.
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5 I declare under penalty of perjury that the foregoing is true and correct to the best of my
6 knowledge and belief.

7 Respectfully submitted,

8 Date: November 13, 2023

9 /s/ Susmita A. Gadre

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